

### REMARKS

This Reply is being filed together with a Request for Continued Examination (RCE).

Claims 1, 63-65, and 73-90 are pending, of which claims 1, 63, and 90 are independent.

Each independent claim has been amended to further recite "wherein the refractive indices and thicknesses of at least some of the alternating dielectric layers substantially satisfy the following equality:

$$\frac{d_{hi}}{d_{lo}} = \frac{\sqrt{n_{lo}^2 - 1}}{\sqrt{n_{hi}^2 - 1}}$$

where  $d_{hi}$  and  $d_{lo}$  are the thicknesses of adjacent higher-index and lower-index layers, respectively, and  $n_{hi}$  and  $n_{lo}$  are the refractive indices of the adjacent higher-index and lower-index layers, respectively." This limitation corresponds to claim 27 as originally filed, and is also discussed at pages 20-21 of the application.

Claims 1 and 73-88 stand rejected for obviousness-type double patenting in view of the issued patent for the parent application, U.S. Patent No. 6,625,364. We intend to file a Terminal Disclaimer to obviate the rejection upon an indication that the application is otherwise allowable.

Claim 74 stands rejected as indefinite. It has been amended to correct issue raised in the action.

Claims 1, 63-65, and 73-90 stand rejected as allegedly obvious in view of U.S. Patent No. 6,463,200 ("Fink"). While we do not concede the merits of the rejection, to expedite allowance, we have amended each of the independent claims to recite the equality set forth above. We submit that Fink does not teach or suggest dielectric layers meeting this equality. Accordingly, we ask the Examiner to withdraw the rejection.

In view of the above, we ask that the application be allowed.

Applicant : Steven G. Johnson et al.  
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Enclosed is a \$225.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing 13445-002002.

Respectfully submitted,

Date: \_\_\_\_\_

10/18/05



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